

REMARKS

Claims 1-43 are pending in the application. Claims 44-65 were withdrawn with traverse in a Reply to Restriction Requirement filed March 15, 2004. Claim 8 is currently amended to correct a typographical error to overcome the objection in Part 1 of the Office Action at hand; Applicants thank Examiner for pointing out the typographical error. Independent Claim 42 is being amended to include a similar preamble as independent claims 24, 33, and 43, as discussed with the Examiner on February 12, 2004. The Related Applications section is also currently amended to include the current status (i.e., patent number) of the parent application. No new matter is being introduced by way of the amendments.

In Parts 2-3 of the Office Action at hand, Claims 1-23 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 6,393,390. A terminal disclaimer is submitted herewith to overcome the nonstatutory double patenting rejection.

In Parts 4-5 of the Office Action at hand, Claims 24-43 were rejected under 35 U.S.C. §102(b) as being anticipated by Patel et al. (U.S. 6,014,618) ("Patel '618"). As recited in the Related Applications paragraph as originally filed (with the current status being added in this Amendment shown with an underline), the present application "is a Continuation of co-pending Application No. 09/455,063, now issued U.S. Patent No. 6,393,390, filed December 6, 1999, which is a Continuation of U.S. Patent No. 6,014,618 issued January 11, 2000, the entire contents of which are incorporated herein by reference." Because co-pendency existed back to Patel '618 with specific reference to same in accordance with 35 U.S.C. §120, Applicants respectfully submit that the rejection of Claims 24-43 based on Patel '618 under 35 U.S.C. §102(b) should be withdrawn.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims (Claims 1-43) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mark B. Solomon
Mark B. Solomon
Registration No. 44,348
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

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